

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No. 72385

JAMI LLC
Javed A. Aizaz R/A
4535 Ashley Court
Ellicott City MD 21043

5201 Pleasant Street

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on March 23, 2010, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 13-7-310, 312, failure to remove all junk trash and debris from residential property zoned DR 5.5 known as 5201 Pleasant Street, 21207.

On January 27, 2010, pursuant to § 3-6-205, Baltimore County Code, Inspector Charles Krick issued a Code Enforcement citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on January 7, 2010 for removal of junk, trash and debris from this residential investment property. This Citation was issued on January 27, 2010.

B. Photographs in the file show old furniture piled on the porch of this residential property, including an upholstered chair with ripped cover on both arms, covered with other pieces of piled furniture including chairs. Other junk on the front porch includes lumber, a rug, and what appears to be a kitchen appliance. Also piled in the yard are two upholstered footstools and other debris including what appears to be a discarded electrical service cable. This violates prohibitions against the accumulation of junk, trash and debris on residential property, and prohibitions against creation of possible harborage for rats. BCC Section 13-4-201, Section 13-7-309, Section 13-7-310.

C. Notes in the file from Inspector Charles Krick state that re-inspection on March 18, 2010 found no improvement, with the junk and debris remaining outside on this investment property.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$150.00 (one hundred fifty dollars) if the violations are corrected by May 12, 2010.

IT IS FURTHER ORDERED that after May 12, 2010, the County may enter the property for the purpose of removing all junk, trash, and debris, at the property owner's expense.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

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IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 26th day of April 2010

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

MZF/jaf